



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety**

901 Locust Street, Suite 480
Kansas City, MO 64106

NOTICE OF AMENDMENT

VIA ELECTRONIC MAIL TO: matt@tallgrass.com; crystal.heter@tallgrass.com;
danielle.stephens@tallgrass.com

October 22, 2024

Matt Sheehy
President & CEO
Tallgrass Energy Partners, LP
370 Van Gordon Street
Lakewood, CO 80228

CPF 3-2024-073-NOA

Dear Mr. Matt Sheehy:

From August 7, 2023, to September 1, 2023, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code (U.S.C.), inspected your Tallgrass Pony Express Pipeline, LLC, Tallgrass Powder River Gateway, LLC, and Tallgrass Midstream, LLC (collectively Tallgrass) procedures for operation and maintenance, corrosion control, and integrity management in Denver, Colorado. Tallgrass Pony Express Pipeline, LLC, Tallgrass Powder River Gateway, LLC, and Tallgrass Midstream, LLC are subsidiaries of Tallgrass Energy Partners, LP.¹

As a result of the inspection, PHMSA has identified the apparent inadequacies found within Tallgrass' plans or procedures. The items inspected and the inadequacies are described below:

1. § 195.402 Procedural manual for operations, maintenance, and emergencies.

(a) General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies. This manual shall be reviewed at intervals not exceeding 15 months, but at least once each calendar year, and appropriate changes made as necessary to insure that the manual is effective. This manual shall be prepared before initial operations of a pipeline system commence, and appropriate parts shall be kept at locations where operations and maintenance activities are conducted.

¹ See System Map, TALLGRASS, https://tallgrass-dev.dotcms.cloud/dA/19b8b3d84f/asset/System%20Map%20-%20Sustainability%20Report.pdf?language_id=1 (last accessed October 18, 2024).

Tallgrass' operations and maintenance (O&M) procedure "OM000_GL" was inadequate to ensure that Tallgrass' procedures were evaluated to determine the effectiveness of procedures used in normal operations, per the requirements of § 195.402(a). Tallgrass' "OM000_GL," section 3, detailed Tallgrass' process for reviewing the work done by Tallgrass to determine the effectiveness of the procedures used in normal operation. "OM000_GL" failed to include that all procedures must be reviewed and did not describe how the progress of the reviews will be tracked, as required by § 195.402(c)(13).² The procedure must be amended to include a tracking mechanism that ensure each procedure in the O&M is reviewed for effectiveness.

2. § 195.402 Procedural manual for operations, maintenance, and emergencies.

(a) General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies. This manual shall be reviewed at intervals not exceeding 15 months, but at least once each calendar year, and appropriate changes made as necessary to insure that the manual is effective. This manual shall be prepared before initial operations of a pipeline system commence, and appropriate parts shall be kept at locations where operations and maintenance activities are conducted.

Tallgrass' O&M procedure "OM301_L" was inadequate to ensure that valves were inspected and tested properly. Tallgrass' "OM301_L," "Inspecting and Servicing Emergency Valves," failed to identify which valve items shall be inspected and/or tested to determine the valve was functioning properly, as required by § 195.420(b)³ and detailed in PHMSA's OM Enforcement Guidance.³ The procedure must be amended to require that emergency valves be inspected and tested in all manners in which the valve could be operated during an emergency.

Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.206. Enclosed as part of this Notice is a document entitled Response Options for Pipeline Operators in Enforcement Proceedings.

Please refer to this document and note the response options. Be advised that all material you submit in response to this enforcement action is subject to being made publicly available. If you believe that any portion of your responsive material qualifies for confidential treatment under 5

² 49 C.F.R. § 195.402(c)(13) states that the manual required by paragraph (a) must include procedures for "periodically reviewing the work done by operator personnel to determine the effectiveness of the procedures used in normal operation and maintenance and taking corrective action where deficiencies are found."

³ 49 C.F.R. § 195.420(b), in pertinent part, requires each operator to, at least twice each calendar year, but at intervals not exceeding 7 1/2 months, inspect each mainline valve to determine that it is functioning properly.

³ PHMSA, Operations and Maintenance Enforcement Guidance Part 195, (revised July. 21, 2017), <https://www.phmsa.dot.gov/pipeline/enforcement/operations-and-maintenance-enforcement-guidance-part-195>.

U.S.C. § 552(b), along with the complete original document you must provide a second copy of the document with the portions you believe qualify for confidential treatment redacted and an explanation of why you believe the redacted information qualifies for confidential treatment under 5 U.S.C. § 552(b).

Following the receipt of this Notice, you have 30 days to submit written comments, revised procedures, or a request for a hearing under § 190.211. If you do not respond within 30 days of receipt of this Notice, this constitutes a waiver of your right to contest the allegations in this Notice and authorizes the Associate Administrator for Pipeline Safety to find facts as alleged in this Notice without further notice to you and to issue an Order Directing Amendment. If your plans or procedures are found inadequate as alleged in this Notice, you may be ordered to amend your plans or procedures to correct the inadequacies (49 C.F.R. § 190.206). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within **30** days of receipt of this Notice. This period may be extended by written request for good cause. Once the inadequacies identified herein have been addressed in your amended procedures, this enforcement action will be closed.

It is requested that Tallgrass maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to Gregory A. Ochs, Director, Central, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 3-2024-073-NOA** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

Gregory A. Ochs
Director, Central Region, Office of Pipeline Safety
Pipeline and Hazardous Materials Safety Administration

cc: Danielle Stephens, DOT Compliance Primary, Tallgrass Energy, L.P.,
Danielle.Stephens@tallgrass.com;
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Enclosure: *Response Options for Pipeline Operators in Enforcement Proceedings*